



RECF/615
JUL 21 2003
Application No. 10/045,730
Attorney Docket No. 10071-018-999
TECH CENTER 1000/2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Mason

Application No.: 10/045,730

Group Art Unit: 1615

Filed: October 19, 2001

Examiner: Isis A.D. Ghali

For: STERILE, BREATHABLE PATCH FOR
TREATING WOUND PAIN

Attorney Docket No.: 10071-018-999

#10

HKO

7-24-03

SECOND RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
PO BOX 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Office Action dated July 3, 2003, in which the captioned application was examined for restriction purposes only, Applicant respectfully requests entry of the following remarks into the file of the application.

REMARKS

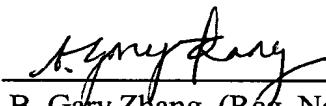
Further to Applicant's April 25, 2003 Response to Restriction Requirement, in which Applicant provisionally elected, with traverse, Group I, claims 1-43 and method of inducing local anesthesia as the method species and sodium channel blocker as the local anesthetic species within Group I, Applicant submits that the claims readable on the elected species are claims 1-6, 12-16, and 22-27.

Applicant maintains the position stated in the April 25, 2003 response, the content of which is incorporated herein by reference, and submits that the Restriction Requirement dated March 26, 2003 is improper and should be reconsidered and withdrawn. Applicant expressly reserves the right to file one or more divisional or other continuing applications to protect the inventions of the non-elected claims and other disclosed, but unclaimed, subject matter prior to the issuance of this application.

No fee is believed due for this submission, as this response is filed within one month of the Office Action dated July 3, 2003.* However, should any fees be required, please charge such fees to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Respectfully submitted,

Date July 18, 2003


B. Gary Zhang (Reg. No. 47,331)

PENNIE & EDMONDS LLP
1667 K Street, N.W.
Washington, DC 20006
(202) 496-4400

For: Samuel B. Abrams (Reg. No.: 30,605)
PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, NY 10036-2711
(212) 790-9090

* In a telephone conference on July 16, 2003, Examiner Ghali agreed that Applicant would be given one month to reply to the Office Action dated July 3, 2003.